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Melina Castro, James Dzurenda, Timothy Filson,
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James Keener, E.K. McDaniel, Ramon Olivas,
Valaree Olivas, and William Sandie*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DOUGLAS SHIELDS,

Plaintiff,

vs.

RENEE BAKER, et al.,

Defendants.

Case No. 3:18-cv-00031-MMD-WGC
**ORDER GRANTING DEFENDANTS'
MOTION FOR AN EXTENSION OF
TIME TO FILE A REPLY TO
PLAINTIFF'S OPPOSITION TO
DEENDANTS' MOTION FOR
SUMMARY JUDGMENT (ECF NO. 92)
(SECOND REQUEST)**

Defendants Renee Baker, Tamara Bartel, Dwayne Baze, Kelly Belanger, Quentin Byrne, Tara Carpenter, Melina Castro, James Dzurenda, Timothy Filson, Sheryl Foster, Starlin Gentry, Todd Gilliland, James Keener, E.K. McDaniel, Ramon Olivas, Valaree Olivas and William Sandie, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Andrea M. Dominguez, Deputy Attorney General, hereby file this Motion for an Extension of Time to File A Reply to Plaintiff's Opposition to Defendants' Motion for Summary Judgment (ECF No. 92) (SECOND REQUEST). This Motion is based on Federal Rule of Civil Procedure 6(b)(1)(A), the following Memorandum of Points and Authorities, and all papers and pleadings on file in this action.

MEMORANDUM OF POINTS AND AUTHORITIES

I. ARGUMENT

Defendants respectfully request a 30-day extension of the time to file a reply to plaintiff's opposition to defendants' motion for summary judgment from the current deadline of **January 28, 2021** to **March 1, 2021**¹. Defendants provide the following information in accordance with Local Rule 26-3.

A. Discovery Completed

Plaintiff's First Request for Production of Documents to Renee Baker

Plaintiff's First Set of Interrogatories to Renee Baker

Plaintiff's First Set of Interrogatories to Tamara Bartel

Plaintiff's First Request for Production of Documents to Tamara Bartel

Plaintiff's First Set of Interrogatories to Kelly Belanger

Plaintiff's First Set of Interrogatories to Tara Carpenter

Plaintiff's First Request for Production of Documents to Kelly Belanger

Plaintiff's First Set of Interrogatories to Starlin Gentry

Plaintiff's First Request for Production of Documents to Starlin Gentry

Plaintiff's First Set of Interrogatories to Ramon Olivas

Plaintiff's First Set of Interrogatories to Valaree Olivas

Plaintiff's First Set of Interrogatories to Todd Gilliland

Plaintiff's First Set of Interrogatories to Timothy Filson

Plaintiff's First Set of Interrogatories to Melina Castro

Plaintiff's First Set of Interrogatories to Dwayne Baze

Plaintiff's First Set of Interrogatories to Sheryl Foster

Plaintiff's First Set of Interrogatories to James Keener

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¹ Defendants are only requesting a 30-day extension of time to file a reply, however, counsel notes that the 30th day falls on a Saturday. Therefore, the date has been adjusted accordingly.

1 Plaintiff's First Request for Production of Documents to Todd Gilliland

2 Plaintiff's Second Request for Production of Documents to Renee Baker

3 **B. Discovery That Remains to be Completed**

4 No additional discovery is needed in this matter. The remaining case management
5 deadlines are:

6 Reply Deadline: January 28, 2021

7 Joint pretrial order 30 days after decision on motions for summary judgment.

8 **C. Reasons why the Deadlines Were not Satisfied**

9 This request for an extension has been necessitated by the fact that this case has
10 been transferred to another Deputy Attorney General (DAG) who is new to the division.
11 This case has been assigned to DAG Laurie Ginn (DAG Ginn). Due to DAG Ginn just
12 joining our office, she has not yet been registered for electronic filing in the United States
13 District Court. Previous Counsel for Defendants' is filing this extension on her behalf.

14 As DAG Ginn was only recently assigned this case, Defendants respectfully request
15 an extension of time of 30-days days to file a Reply to Plaintiff's Opposition to Defendant's
16 Motion for Summary Judgment. DAG Ginn requires additional time to familiarize herself
17 with the claims, the motion for summary judgment, the opposition to the motion for
18 summary judgment, and the case in general.

19 **D. Proposed Deadlines**

20 Reply Deadline **March 1, 2021**

21 Joint pretrial order 30 days after decision on motions for summary judgment.

22 **E. Good Cause Supports the Request**

23 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as
24 follows:


25 This Court should find good cause supports this request. When
26 an act may or must be done within a specified time, the court
27 may, for good cause, extend the time: (A) with or without
28 motion or notice if the court acts, or if a request is made, before
the original time or its extension expires; or (B) on motion made
after the time has expired if the party failed to act because of
excusable neglect.

1 Defendant's request will not hinder or prejudice Plaintiff's case. It will allow for a
2 thorough opportunity to review the case file and pending motions. Further, Shield's
3 Opposition is 488 pages long. Therefore, Shield's will not be prejudiced by a 30-day delay
4 to respond to his opposition. Shield's himself has received a 75-day extension of time to
5 respond to Defendants' motion for summary judgment, which Defendants' did not oppose.

6 Defendants assert that the requisite good cause is present to warrant the requested
7 extension of time. Therefore, the Defendants respectfully request an extension, until
8 **March 1, 2021**, to file their Reply.

9 DATED this 27th day of January, 2021.

10 AARON D. FORD
11 Attorney General

12 By: 
13 ANDREA M. DOMINGUEZ, Bar No. 15209
14 Deputy Attorney General
15 State of Nevada
16 Public Safety Division

17 *Attorneys for Defendants*

18 IT IS SO ORDERED.

19 DATED: January 28, 2021.

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21 UNITED STATES MAGISTRATE JUDGE
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